

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NYC IMAGE INTERNATIONAL, INC.,

Plaintiff,

- against -

RS USA, INC. and MD RUSTOM ALI,

Defendants.

1:19-cv-10355-VSB

**CONSENT  
PERMANENT  
INJUNCTION**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 9/28/2021

Vernon S. Broderick, District Judge:

In accordance with the Settlement Agreement among the parties, which the Court has reviewed, and the parties having consented therein to the entry of this Permanent Injunction, it is hereby

**ORDERED, ADJUDGED and DECREED**, that defendants RS USA Inc. and MD Rustom Ali, together with their officers, directors, agents, servants, employees, and all those acting or attempting to act in concert or participation with either of them, are hereby permanently **ENJOINED AND RESTRAINED** from:

- (a) In any way, directly or indirectly, selling merchandise, displaying or copying or using any design similar to the copyrighted design of Plaintiff known as “Vintage American Flag Design” or any colorable imitation thereof, or any mark confusingly similar thereto, or holding out RS USA or any other business operated by MD Rustom Ali to the public as an authorized trademark owner or dealer of the trademark Vintage American Flag Design or any colorable imitation thereof, or any mark confusingly similar thereto;

or

(b) Stating, suggesting or implying in any manner that RS USA or any other business operated by MD Ruston Ali is authorized to sell, use, display or distribute any Vintage Americana Flag merchandise except as agreed to in the Settlement Agreement, dated September 14, 2021.

Dated: New York, New York  
September 28, 2021 at m.



U.S.D.J.

Entry of the foregoing Injunction and Order is hereby consented to:

Dated: September 14, 2021


Dated: September 14, 2021

TANNENBAUM HELPERN SYRACUSE  
& HIRSCHTRITT LLP

ROSS & ASMAR LLC



By: \_\_\_\_\_  
Maryann C. Stallone, Esq.  
900 Third Avenue  
New York, New York 10022  
Tel: (212) 508-6741  
[stallone@thsh.com](mailto:stallone@thsh.com)  
*Attorneys for Plaintiff*



By: \_\_\_\_\_  
Steven Ross, Esq.  
499 Seventh Avenue, 23<sup>rd</sup> Floor, South Tower  
New York, New York 10018  
Tel: (212) 736-4202  
[steven@rossasmar.com](mailto:steven@rossasmar.com)  
*Attorneys for Defendants*